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Attorneys for Defendant SECRETARY OF
 THE DEPARTMENT OF HOMELAND
 SECURITY

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

K. H., C.V., W.L., J.M., JEFFREY BOYER,
 BRIAN PIEROG, DONNA BAXTER,
 RICHARD DEVIVO, and GARY
 MCCONAGHY, on behalf of themselves and
 those similarly situated,

Plaintiffs,

v.

THE SECRETARY OF THE DEPARTMENT
 OF HOMELAND SECURITY,

Defendant.

Case No. 15-cv-02740 JST

**STIPULATION AND [PROPOSED] ORDER RE
 PENDING SUMMARY JUDGMENT MOTIONS**

Current Date: April 20, 2017
 Proposed New Date: June 8, 2017
 Time: 2:00 p.m.
 The Honorable Jon S. Tigar

STIPULATION

WHEREAS, defendant filed their summary judgment motions on February 3, 2017;

WHEREAS, since the filing of the motions, counsel for defendant learned that one piece of data
 cited in the motions titled “FY13 Average Daily Scheduled US Carrier Passenger Flights (Departures and
 Arrivals)” actually refers to Average Daily Scheduled High Risk US Carrier Passenger Flights (Departures

and Arrivals). While this difference does not change the substance of defendant's argument, defendant wishes to correct the record. This issue impacts only the summary judgment motion with Docket Number 69, and does not impact the summary judgment motion with Docket Number 73;

WHEREAS, the parties have conferred and plaintiffs do not object to defendant filing an amended summary judgment motion (ECF 69);

IT IS HEREBY STIPULATED, by the parties to the above-captioned action, by and through their respective counsel of record, that:

1. Defendant will file an amended motion for summary judgment (re ECF 69) on or before February 28, 2017.

2. Plaintiffs' oppositions to both summary judgment motions (ECF 69 and 73) will due on March 31, 2017;

3. Defendant's reply memoranda in support of the summary judgment motions will be due on April 28, 2017; and

4. Subject to the Court's availability, the hearing on the summary judgment motions will be reset to June 8, 2017, at 2:00 p.m.

DATED: February 23, 2017

Respectfully submitted,

BRIAN J. STRETCH
Acting United States Attorney

/s/ Wendy M. Garbers
WENDY M. GARBERS
Assistant United States Attorney
Attorneys for Defendant

DATED: February 23, 2017

MORRIS POLICH & PURDY LLP

/s/ Nicholas M. Wieczorek *
NICHOLAS M. WIECZOREK
Attorneys for Plaintiff

**In compliance with Civil Local Rule 5-1(i)(3), the filer of this document attests under penalty of perjury that plaintiffs have concurred in the filing of this document.*

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: February 23, 2017



THE HONORABLE JON S. TIGAR